

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA	*	CR. NO. 97-284(JAF)
	*	
Plaintiff	*	
	*	
v	*	
	*	
OMAR GENAO-SANCHEZ	*	
	*	
Defendant	*	

MOTION TO RESCHEDULE SENTENCING HEARING

TO THE HONORABLE COURT

COMES NOW, the defendant, Omar Genao-Sanchez, through his undersigned counsel and respectfully alleges and prays:

1. The Court scheduled the sentencing hearing of defendant Genao Sanchez for August 4th, 2008.
2. It is requested the hearing be rescheduled for the following reasons:
 - a. Even though the Court promptly granted the habeas corpus filed as to defendant and the witnesses none of them have been brought to the jurisdiction of this Court. Counsel has personally checked at MDC and the inmates have not arrived. The U.S. Bureau of Prisons internet site indicates that Genao Sanchez is still located at Coleman, Florida.
 - b. Even if defendant and the witnesses are brought in the next few days counsel has not been able to adequately prepare with them for the sentencing hearing.
 - c. To reasonably prepare for the sentencing hearing once defendant and the witnesses are in Puerto Rico it is submitted, at least, 30 days are necessary.

3. In addition, counsel has a serious calendar conflict for August 4th, 2008 as she is trying a case in Mayaguez the entire week of August 4th. This trial was scheduled early this year and involves multiple parties and counsel, the dates were set with the availability of all counsel and can not be reschedule at this time. The superior court judge in charge of this case strongly indicated she would not grant any continuances of this trial.
4. For all the above stated reasons it is requested that the Court reschedule the sentencing of August 4th, 2008 as herein requested.

CERTIFICATE OF SERVICE: I hereby certify that on this date the present document has been filed electronically and is available for viewing and downloading from the Court's CM/ECF system by U.S. Attorney's Office.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 23rd day of July, 2008.

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